

EXHIBIT 40

CHART REGARDING DEFENDANTS' 56.1 RESPONSE

EXHIBIT 40 – Chart Regarding Defendants’ 56.1 Response

Defendants’ 56.1 Response reflects that Defendants:	Paragraph Numbers:
Did not respond, and therefore admit.	170, 199, 344, 369, 400
Deny without citation, and therefore admit.	52, 60, 61, 63, 64, 65, 90 (denied only by broadly citing to a 21-page exhibit with specification), 105, 135, 192, 193, 228, 231, 258, 259, 262, 265, 267, 268, 282, 297, 300, 304, 380, 381, 382, 384, 387, 391, 392, 393, 394, 395
Incorrectly claim paragraphs are not supported by citation or lack context.	28, 29, 46, 61, 63, 64, 65, 67, 88, 98, 105, 134, 185, 192, 193, 202, 206, 210, 211, 212, 213, 214, 215, 228, 232, 258, 259, 262, 265, 267, 268, 274, 275, 282, 290, 300, 335, 378, 380, 382, 392, 393, 394, 395
Object without disputing, and therefore admit.	39, 40-42, 88, 98, 99, 101, 106, 210, 211, 212, 213, 214, 215, 232, 233, 234, 237, 238, 239, 241, 257, 285, 293
Frivolously assert immateriality.	33-35, 37, 39, 87, 90, 98, 99, 101, 102, 152, 155, 160, 161, 188, 198, 200, 201, 202, 203, 204, 205, 206, 210, 211, 212, 213, 214, 215, 217, 219, 220, 221, 223, 225-227, 230, 232, 233, 234, 236, 239, 241, 249, 257, 285, 293, 315, 331, 332, 333, 334, 335, 336, 337, 343, 346, 347, 348, 353, 354, 355, 356, 357, 358, 401
Make legal arguments such as hearsay which they omit from their MOL, thereby depriving Plaintiff the opportunity to respond.	60, 61, 63, 64, 65, 66, 106, 210, 211, 212, 213, 214
Make legal arguments such as FRE 602 and 701 objections which they omit from their MOL, thereby depriving Plaintiff of the opportunity to respond.	222, 232, 233, 239, 241, 242, 291
Improperly and baselessly blame Mr. Alzate’s deposition translator.	104